# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/005,493 | 11/02/2001 | Durga Prasad Satapathy | 31838 | 7989 |

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| EXAMINER |
|---|
| TRAN, PHILIP B |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2155 | |

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) | |
|---|---|---|---|
| **Office Action Summary** | 10/005,493 | SATAPATHY ET AL. | |
| | Examiner | Art Unit | |
| | Philip B. Tran | 2155 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *25 August 2005*.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

## *Response to Amendments*

### *Notice to Applicant*

1.      This communication is in response to the amendment filed 25 August 2005.

Claims 1, 9, 15 and 17 have been amended. Therefore, claims 1-21 are pending for

further examination.

### *Claim Rejections - 35 USC § 102*

2.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.      Claims 1-3, 6-8, 17-18 and 21 are rejected under 35 U.S.C 102(e) as being

anticipated by Saindon et al (Hereafter, Saindon), U.S. Pat. No. 6,820,055.

Regarding claim 1, Saindon teaches a system operable to represent a user of a

plurality of message mediums and to independently respond to a person wishing to

communicate with the user via an unattended one of said message mediums (= a

system for automated real-time conversion and transmission of speech and text and

transfer response to user) [see Abstract], the system comprising:

a plurality of interface agents each coupled to a respective message medium (=

conference bridge handles media events such as managing audio/video information,

email and phone call-ins) [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67] and each

operable to detect an unattended message received from the person, convert the

unattended message into a written request and relay a result to the person (= speech-

to-text conversion and transferring the text to a user) [see Abstract and Col. 1, Line 49

to Col. 3, Line 10 and Col. 5, Lines 1-12];

a command creator operable to convert the request into a database query (=

database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25];

an expert system operable to modify the query by applying a collection of rules (=

controlling event operations using the Rob-Cop expert system for registration and event

scheduling and administrating the transaction/business relationship) [see Col. 19, Line

57 to Col. 20, Line 11];

a database operable to store information relating to the user (= database) [see

Figs. 6-7 and Col. 23, Lines 8-25]; and

an output action generator operable to access the database, execute the query

thereby generating the result based on the information in the database, and relay the

result to the interface agents (= accessing the database and transferring data to user)

[see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].


Regarding claim 2, Saindon further teaches the system as set forth in claim 1, at

least one of the interface agents being further operable to convert the result into a

synthesized speech response (= text-to-speech conversion) [see Col. 5, Lines 1-12].

Regarding claim 3, Saindon further teaches the system as set forth in claim 1, at least one of the interface agents being further operable to convert a spoken message into the written request (= speech-to-text conversion) [see Col. 14, Lines 15-67].

Regarding claim 6, Saindon further teaches the system as set forth in claim 1, the system including a classifier operable to create, store, and retrieve a classification associated with one of a plurality of records (= handling the stored data and controlling the retrieval of data from the database) [see Col. 2, Lines 22-41 and Col. 19, Lines 5-32].

Regarding claim 7, Saindon further teaches the system as set forth in claim 1, the interface agents being selected from the group consisting of an email agent, a telephone agent, a voice-mail agent, and a video-conference agent [see Figs. 5-8].

Regarding claim 8, Saindon further teaches the system as set forth in claim 1, the information stored in the database being selected from the group consisting of email, word processing documents, spreadsheets, presentations, schedules, contracts, drawings, figures, telephone numbers, dates, names, records, notes, files, images, addresses, and personal data about the user [see Fig. 6].

Claim 17 is rejected under the same rationale set forth above to claim 1. In addition, Saindon discloses the identity of the source can be identified upon login [see

Col. 17, Lines 5-10] and providing password-based access to the control operation [see

Col. 18, Lines 27-34]. This suggests that there exits a procedure of authenticating a

user.

Regarding claim 18, Saindon further teaches the method of claim 17, further

comprises the step of modifying the query based upon a classification (= controlling

event operations using the Rob-Cop expert system for registration and event scheduling

and administrating the transaction/business relationship) [see Col. 19, Line 57 to Col.

20, Line 11].

Regarding claim 21, Saindon further teaches converting the result into a spoken

response and playing the response for the person [see Col. 5, Lines 1-12].

### *Claim Rejections - 35 USC § 103*

4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.      Claims 4-5, 9-16 and 19-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Saindon et al (Hereafter, Saindon), U.S. Pat. No. 6,820,055 in view

of Hassan, U.S. Patent Application Publication No. 6,404,859.

Regarding claims 4-5, Saindon does not explicitly teach the system as set forth in

claim 3, at least one of the interface agents being further operable to generate a voice

signature based upon the spoken message and an authenticator operable to match the

voice signature with one of a plurality of known records, thereby authenticating the

person. However, Hasan, in the same field of voice-enabled system for remote access

of information endeavor, discloses generating voice signature and authenticating a

person by comparing spoken word with stored word [see Abstract and Fig. 3]. It would

have been obvious to one of ordinary skill in the art at the time of the invention was

made to incorporate the teaching of Hasan into the teaching of Saindon in order to

provide a more secured communication by preventing an unauthorized access to

confidential information.

Regarding claim 9, Saindon teaches a system operable to represent a user of a

plurality of message mediums and to independently respond to a person wishing to

communicated with the user via an unattended one of said message mediums (= a

system for automated real-time conversion and transmission of speech and text and

transfer response to user) [see Abstract], the system comprising:

a plurality of interface agents each coupled to a respective message medium (=

conference bridge handles media events such as managing audio/video information,

email and phone call-ins) [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67] and each

operable to detect an unattended message received from the person, convert the

unattended message into a written request and relay a result to the person (= speech-

to-text conversion and transferring the text to a user) [see Abstract and Col. 1, Line 49

to Col. 3, Line 10 and Col. 5, Lines 1-12];

a classifier operable to create, store, and retrieve a classification associated with

each record (= handling the stored data and controlling the retrieval of data from the

database) [see Col. 2, Lines 22-41 and Col. 19, Lines 5-32];

a command creator operable to convert the request into a database query (=

database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25];

an expert system operable to modify the query by applying a collection of rules (=

controlling event operations using the Rob-Cop expert system for registration and event

scheduling and administrating the transaction/business relationship) [see Col. 19, Line

57 to Col. 20, Line 11];

a database operable to store information relating to the user (= database) [see

Figs. 6-7 and Col. 23, Lines 8-25]; and

an output action generator operable to access the database, execute the query thereby generating the result based on the information in the database, and relay the result to the interface agents (= accessing the database and transferring data to user) [see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].

Saindon does not explicitly teach appending the request with an identifier and an authenticator operable to match the identifier with one of a plurality of known records, thereby authenticating the person. However, Saindon does disclose the identity of the source can be identified upon login [see Saindon, Col. 17, Lines 5-10] and providing password-based access to the control operation [see Saindon, Col. 18, Lines 27-34]. This suggests that there exits a procedure of authenticating a user.

Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses the user provides his personal identification code (PIN) and authenticator compares the user's PIN with the corresponding PIN stored in the memory to establish the user's identity [see Hasan, Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saidon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 10, Saindon further teaches the system as set forth in claim 9, at least one of the interface agents being further operable to convert the result into a synthesized speech response (= text-to-speech conversion) [see Col. 5, Lines 1-12].

Regarding claim 11, Saindon further teaches the system as set forth in claim 9, at least one of the interface agents being further operable to convert a spoken message into the written request (= speech-to-text conversion) [see Col. 14, Lines 15-67].

Regarding claim 12, Saindon does not explicitly teach the system as set forth in claim 11, at least one of the interface agents being further operable to generate a voice signature based upon the spoken message. However, Hasan, in the same field of voice-enabled system for remote access of information endeavor, discloses generating voice signature and authenticating a person [see Abstract and Fig. 3]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Hasan into the teaching of Saindon in order to provide a more secured communication by preventing an unauthorized access to confidential information.

Regarding claim 13, Saindon further teaches the system as set forth in claim 9, the interface agents being selected from the group consisting of an email agent, a telephone agent, a voice-mail agent, and a video-conference agent [see Figs. 5-8].

Regarding claim 14, Saindon further teaches the system as set forth in claim 9, the information stored in the database being selected from the group consisting of email, word processing documents, spreadsheets, presentations, schedules, contracts,

drawings, figures, telephone numbers, dates, names, records, notes, files, images,

addresses, and personal data about the user [see Fig. 6].

Claim 15 is rejected under the same rationale set forth above to claim 9.

Claim 16 is rejected under the same rationale set forth above to claim 14.

Regarding claim 19, Saindon does not explicitly teach appending the message

with an identifier forming the request. However, Hasan, in the same field of voice-

enabled system for remote access of information endeavor, discloses the user provides

his personal identification code (PIN) and authenticator compares the user's PIN with

the corresponding PIN stored in the memory to establish the user's identity [see Hasan,

Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Hasan into the teaching of Saindon in order to provide a

more secured communication by preventing an unauthorized access to confidential

information.

Regarding claim 20, Saindon further teaches receiving a spoken sentence from

the person, converting the sentence into a written message (= speech-to-text

conversion) [see Col. 14, Lines 15-67]. Saindon does not explicitly teach appending the

message with an identifier forming the request. However, Hasan, in the same field of

voice-enabled system for remote access of information endeavor, discloses the user

provides his personal identification code (PIN) and authenticator compares the user's

PIN with the corresponding PIN stored in the memory to establish the user's identity

[see Hasan, Abstract and Figs. 2-3 and Col. 4, Line 56 to Col. 5, Line 18]. It would have

been obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Hasan into the teaching of Saindon in order to provide a

more secured communication by preventing an unauthorized access to confidential

information.

### *Response to Arguments*

6.      Applicant's arguments with respect to claims 1-21 have been considered but are

not persuasive because of the following reasons:

*In response to applicant's arguments that cited reference teaches away from the*

*invention of the instant application, the law of anticipation requires that a distinction be*

*made between the invention described or taught and the invention claimed. It does not*

*require that the reference "teach" what the subject patent teaches. Assuming that a*

*reference is properly "prior art," it is only necessary that the claims under consideration*

*"read on" something disclosed in the reference, i.e., all limitations of the claim are found*

*in the reference, or "fully met" by it.* **Colman  v.  Kimberly-Clark  Corp., 218 USPO 789.**

Saindon teaches a system operable to represent a user of a plurality of message

mediums and to independently respond to a person wishing to reach the user via an

unattended one of said message mediums such as a system for automated real-time

conversion and transmission of speech and text and transfer response to user [see

Abstract], wherein the system comprising a plurality of interface agents each coupled to

a respective message medium. For example, Saindon teaches a conference bridge handles media events such as managing audio/video information, email and phone call-ins [see Col. 2, Lines 22-65 and Col. 14, Lines 15-67]. Saindon further teaches each operable to detect an unattended message received from the person, convert the unattended message into speech-to-text conversion and transferring the text to a user [see Abstract and Col. 1, Line 49 to Col. 3, Line 10 and Col. 5, Lines 1-12].

In addition, Saindon further teaches a command creator operable to convert the request into a database query (= database query) [see Figs. 1 & 6-7 and Col. 22, Line 42 to Col. 23, Line 25], an expert system operable to modify the query by applying a collection of rules. For instance, Saindon teaches controlling event operations using the Rob-Cop expert system for registration and event scheduling and administrating the transaction/business relationship [see Col. 19, Line 57 to Col. 20, Line 11], and database operable to store information relating to the user (= database) [see Figs. 6-7 and Col. 23, Lines 8-25].

Moreover, Saindon further teaches and an output action generator operable to access the database, execute the query thereby generating the result based on the information in the database, and relay the result to the interface agents. For example, Saindon further discloses accessing the database and transferring data to user [see Figs. 3-7 and Col. 19, Line 45 to Col. 20, Line 11].

Regarding to comment on "unattended message", the examiner notes that when a user participates in multi-tasking processes, then the user cannot be able to simultaneously accomplish two or more of the tasks and therefore it is inherent that

received message is the unattended message at some intervals of time. Also, Saindon further discloses automated system wherein the conference bridge should be able to automatically answer dial-in phone calls [see Col. 15, Lines 26-34]. This means that no human interaction is necessary to manage the event and thus the received message is the unattended message.

Therefore, the examiner asserts that cited references teach or suggest the subject matter broadly recited in independent claims. Dependent claims 2-8, 10-14, 16 and 18-21 are also rejected at least by virtue of their dependency on independent claims. Accordingly, claims 1-21 are respectfully rejected as shown above.

### Other References Cited

7.     The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A)  Dilip et al, U.S. Pat. No. 6,704,409.

B)  Pinard et al, U.S. Pat. No. 6,675,194.

C)  Szlam, U.S. Pat. No. 6,359,892.

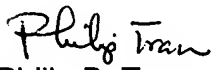D)  Shtivelman, U.S. Pat. No. 6,263,066.

E)  Haigh, U.S. Pat. No. 5,793,861.

### Conclusion

8.     Applicants' amendment necessitates the change of new grounds of rejections. Accordingly, THIS ACTION IS MADE FINAL.  Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

**A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.**

9.      Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip B. Tran
Primary Examiner
Art Unit 2155
November 09, 2005